

## A Basic Overview

Guided by the leadership of the Attorney General, Project Safe Childhood (PSC) aims to combat the proliferation of technology-facilitated sexual exploitation crimes against children. The threat of sexual predators soliciting children for physical sexual contact is well-known and serious; the danger of the production, distribution, and possession of child pornography is equally dramatic and disturbing. The response to these growing problems must be coordinated, comprehensive, and robust. It must aim to investigate and prosecute vigorously, and protect and assist victimized children. At the same time, it must recognize the need for a broad, community-based effort to protect our children and to guarantee to future generations the opportunities of the American dream.



Deputy Attorney General Paul J. McNulty introduces Attorney General Gonzales on February 15, 2006, for the Attorney General's one-year anniversary speech to Department employees.

PSC will be modeled on the blueprint of the successful Project Safe Neighborhoods (PSN) initiative, a nationwide program

started in 2001 to reduce gun crime in America. PSN provided a comprehensive enforcement strategy for deterring and punishing gun crimes by linking together federal, state, local, and tribal law enforcement, prosecutors, community leaders, and non-profit entities specializing in prevention and outreach. By establishing a network of law enforcement and community initiatives directed at gun violence, PSN enhanced the coordination among law enforcement at all levels. U.S. Attorneys in the 94 federal judi-

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*"The Internet must be safe for all Americans, especially children."*

Attorney General Alberto R. Gonzales,  
February 15, 2006

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cial districts worked with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and with state, local, and tribal law enforcement officials, to tailor the PSN strategy to the unique needs of the local gun violence problem. Each district has coordinated prosecutions under federal, state, and local laws; ensured that law enforcement officers and prosecutors receive the proper training; and engaged in deterrence and prevention efforts through community outreach and awareness campaigns. The multifaceted, partnership-based approach of PSN—bolstered by the strong national leadership of President Bush and Attorneys General John Ashcroft and Alberto Gonzales—has been a remarkable success. The results are measurable both by the dramatic increase in the number of federal firearms prosecutions and the commensurate decline in crime rates.

As with PSN, PSC creates, on a national platform, locally designed partnerships of federal, state, local, and tribal law enforcement officers in each federal judicial district

to investigate and prosecute Internet-based crimes against children. With the U.S. Attorney as the convenor, each local community will be able to design and implement programs that are uniquely tailored to its needs, while maximizing the impact of national resources and expertise. As detailed in Part IV, this basic vision of PSC will be put into action through the building of PSC partnerships in each district, the development of district-specific strategic plans, and the reporting of results on a semi-annual basis in order to ensure accountability to the goals of PSC. The PSC partnerships in every district will aim to address five major components of the initiative, described below.

#### Integrated Federal, State, and Local Efforts to Investigate and Prosecute Child Exploitation Cases, and to Identify and Rescue Child Victims

Each U.S. Attorney will partner with ICAC task forces that exist within his or her district; agents from the FBI, ICE, USPIS, and U.S. Secret Service; and other interested state and local law enforcement partners operating in the district. Working closely with these partners in developing a district-specific strategic plan, U.S. Attorneys will coordinate the investigation and prosecution of child exploitation crimes, and the efforts to identify and rescue victims. Establishing open and formal lines of information-sharing and case referrals is imperative, so that investigators and prosecutors can use all available tools for finding offenders and selecting the most appropriate forum in which to seek convictions. And aggressive investigations and prosecutions must be accompanied by strong victim-assistance efforts. Given their closeness to the community, local PSC partners must play a central role in helping national and local partners in identifying and rescuing victims of child exploitation cases.

#### Participation of PSC Partners in Coordinated National Initiatives

Child pornography cases are oftentimes initiated by law enforcement agents uncovering a peer-to-peer network, server, or web site. Such national operations may be conducted by the FBI's Innocent Images Unit, ICE's Cyber Crime Center, USPIS's Child Exploitation Task Forces, ICAC task forces, or others, and are frequently coordinated by CEOS. These investigations will lead to hundreds or thousands of leads in communities throughout the country. In addition, through its CyberTipline program, NCMEC sends investigative leads to law enforcement across the country. And NCMEC's Child Victim Identification Program (CVIP) facilitates efforts to identify and rescue victims of child exploitation, resulting in leads being sent out to local communities around the nation. All the resources of federal, state, and local law enforcement must be brought to bear in maximizing the number of leads that are pursued, and there must be greater coordination in tracking the status of these leads. The PSC partnerships are uniquely situated to coordinating the pursuit of these leads, given their local presence and their



Attorney General Gonzales greets Kathleen Harris, an analyst in NCMEC's Exploited Child Unit, with Ernie Allen, President of NCMEC.

access to the national PSC network, and they will be fully integrated into these national operations.

### Increased Federal Involvement in Child Pornography and Enticement Cases

All states have laws in place to respond to child exploitation and abuse, and some states have very significant criminal laws and penalty provisions for child pornography offenders and online sexual predators that parallel or exceed those provided by federal law. However, federal law often has several advantages over the criminal justice systems in many states. First, 18 U.S.C. § 3486 provides a more accessible administrative subpoena power in child exploitation cases than is typically available in most states. Second, federal law makes all relevant child exploitation offenses felonies and it prescribes mandatory-minimum penalties for most of these offenses, which is not the case in many states. For instance, those convicted of production of child pornography are subject to a fifteen-year mandatory-minimum term of incarceration pursuant to 18 U.S.C. § 2251; those convicted of trafficking and receipt of child pornography are subject to a five-year mandatory-minimum penalty pursuant to 18 U.S.C. §§ 2252 and 2252A; and those convicted of enticement offenses are subject to a five-year mandatory-minimum penalty pursuant to 18 U.S.C. § 2422(b). Third, some state criminal justice systems have too few prosecutorial or custodial resources to seek or execute meaningful sentences for those convicted of child exploitation crimes, leading to these predators returning to live in our neighborhoods.

For these reasons, it is important for federal investigators and prosecutors to bring all available resources to bear upon investigations and prosecutions of Internet-based

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*"We're waging an aggressive nationwide effort to prevent the use of the Internet to sexually exploit and endanger children."*

President George W. Bush,  
October 23, 2002

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crimes against children, and for federal prosecutors to substantially increase the number of prosecutions of child pornography and enticement offenses. Of course, this increase must be accomplished through a balanced approach—one that reflects close collaboration between federal, state, and local officials, and hence an approach that makes the fullest use of the respective resources and tools available at the federal, state, and local levels. The collaborative effort, for example, should strive to take full advantage of the sentencing benefits available under federal law, where mandatory-minimum penalties and sentencing guidelines often make the most difference in smaller-scale and more common cases. The overriding goal is to ensure that the worst offenders get the maximum amount of jail time possible, which is best accomplished through close collaboration between federal and state investigators and prosecutors regarding probable punishment for particular conduct, as has been done as part of PSN. Significant and lasting sentences will incapacitate offenders and deter others from committing sex crimes against children.

### Training of Federal, State, and Local Law Enforcement

Computer-based crimes, such as the child exploitation cases targeted by PSC, present unique challenges for law enforcement. Investigators must be trained and have the necessary equipment to investigate and perform computer forensics analysis of targeted equipment. Prosecutors must learn



the most up-to-date and effective techniques for bringing these cases. And officers and prosecutors must be oriented to receiving and handling packaged leads distributed from national investigations or from NCMEC's CyberTipline or CVIP. A key component of PSC will therefore be to ensure that federal, state, local, and tribal officers are properly instructed. The training needs of PSC partners within each district will be assessed, and officials will take advantage of training programs facilitated or administered by NCMEC, the ICAC program, and the National Advocacy Center, among other programs and providers.



Ernie Allen, NCMEC President, introduces Attorney General Gonzales to NCMEC employees on April 20, 2006.

### Community Awareness and Educational Programs

PSC will aim to enhance existing efforts to generate awareness and to educate the public about the threats to our children, and ways to prevent online exploitation. PSC will therefore partner with existing national programs through NCMEC and the ICAC program in order to raise awareness about the threat of online sexual predators and to provide the tools and information to parents

and youngsters seeking to report possible violations. These national campaigns will be complemented by the efforts of each district's PSC partnership to impact its community through expanded outreach efforts. Through national and local events involving the Attorney General, U.S. Attorneys, and other PSC partners, public service announcements, local events sponsored by the ICAC task forces or generated through the local PSC strategic plan, and other media relations efforts, PSC will aim to raise public awareness about the dangers to children online, the federal and state laws against exploiting children online, and the increased enforcement of those laws. Moreover, through ongoing and new educational programs, PSC can instruct parents and children on the steps that can be taken to make Internet usage safer.



PSC will not be accompanied by new funding in its early stages, which presents a challenge to U.S. Attorneys and all of their partners in PSC. Nonetheless, the increased collaboration between law enforcement at all levels and the reallocation of resources can be achieved, and will significantly improve the ability of our nation to respond to the threat to our children of technology-facilitated sexual exploitation crimes. And existing training and educational programs can be leveraged in more efficient ways in order to achieve the goals of PSC.

In addition, President Bush's fiscal year 2007 budget request seeks increased funding for several programs that are key to PSC. First, the budget request includes an increase of \$2.6 million (and 26 positions) for U.S. Attorneys' offices to prosecute child exploitation and obscenity cases. The request also contains an increase of \$65,000 for

a position at the U.S. National Central Bureau to coordinate international law enforcement efforts in child exploitation cases. In addition, the Administration's budget requests more than a \$1 million increase in funding for the ICAC program, from \$14.3 million in fiscal year 2006 to \$15.4 million in fiscal year 2007.

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